

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

NATHAN M.F. CHARLES, Esq.,

Plaintiff,

v.

PAUL J. MIOVAS, Esq.,

Defendant.

CIVIL ACTION NO. 1:22-cv-01526

(WILSON, J.)
(SAPORITO, M.J.)

ORDER

AND NOW, this 27th day of October, 2022, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. On its own motion, the court will consider whether the plaintiff should be ordered to pay all or part of the costs incurred by the defendant in connection with the prior voluntarily dismissed action, *Charles v. Miovas*, Case No. 1:21-cv-01549 (M.D. Pa. dismissed June 24, 2022), including reasonable attorney fees, if justified;

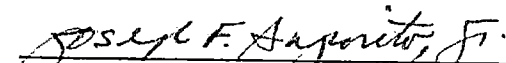
2. The defendant shall, **within fourteen (14) days** after entry of this order, file an affidavit or declaration and supporting documentary evidence detailing the costs incurred by the defendant in defending the prior voluntarily dismissed action—including reasonable attorney fees, if justified—together with a brief in support of his claim for an award of

such costs, which shall include discussion of the basis for any claim for legal fees;

4. The plaintiff shall file a brief in opposition to the award of such costs, including any claimed attorney fees, together with any supporting evidence, **within fourteen (14) days after service** of the defendant's brief in support;

5. The defendant may file a reply brief **within fourteen (14) days after service** of the plaintiff's brief in opposition; and

6. All other proceedings in this case shall be **STAYED** until the court enters a ruling on the issue of an award of costs under Rule 41(d) or an order affirmatively lifting the stay.



JOSEPH F. SAPORITO, JR.
United States Magistrate Judge